PTO/SB/21 (09-04) (AVV 10/2004) Approved for use through 7/31/2006. OMB 0651-0031

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TRANSMITTAL **FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 5 + 2 References

+ 1 Japanese Office Action

10/020,425 Application Number December 7, 2001 Filing Date Mitsuaki Oshima et al. First Named Inventor 2137 Art Unit Paul E. Callahan **Examiner Name** MTS-520US2 Attorney Docket No.

| ENCLOSURES (Check all that apply) | | | | | | |
|---|--|---|--|--|--|--|
| Fee Transmittal Form Fee Attached | Drawing(s) Licensing-related Papers | After Allowance Communication to TC | | | | |
| Amendment/Reply After Final Affidavits/Declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement (Supplemental) Certified Copy of Priority Document(state) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 | Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation, Change of Correspondence Address Terminal Disclaimer Request for Refund | Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below): PTO Form SB/08 2 References 1 Japanese Office Action Return Postcard | | | | |
| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT | | | | | | |
| Firm Name Signature Printed Name Date Ratnet Prestia Ratnet Prestia May 31, 2006 | Registration No. | 42,690 | | | | |
| CERTIFICATE OF TRANSMISSION / MAILING | | | | | | |
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: | | | | | | |
| Signature Debor of Speat | | | | | | |
| Typed or Printed Name Deborah Spratt | | Date May 31, 2006 | | | | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

óln. No:

10/020,425

Applicant:

Mitsuaki OSHIMA, et al.

Filed:

December 7, 2001

Title:

MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK

ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK

TC/A.U.:

2137

Examiner:

Paul E. Callahan

Confirmation:

8994

Docket No.

MTS-520US2

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO/SB/08a and PTO/SB/08b submitted herewith. A copy of each of the references listed on the PTO/SB/08a and PTO/SB/08b is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made.

The following references are not in the English language:

- 1) JP 06-203412
- 2) JP 60-175254

MTS-520US2 PATENT

References 1) to 2) include English language abstracts.

Reference 2) includes a partial English translation.

References 1) and 2) were cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. A copy of this Japanese Official Action indicating the degree of relevance determined by the foreign patent office, are submitted herewith. MPEP 609 IIIA(3), second paragraph.

Reference JP 02-056750 was previously cited in a Supplemental Information Disclosure Statement dated February 19, 2003.

This Supplemental Information Disclosure Statement is being filed within three months of the filing date of an RCE or before mailing of the first Official Action. No first Official Action has yet been received and it is presumed that none has yet been mailed. No fee or statement is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,

Jack J. Jankovitz, Red Attorneys (or Applican

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JJJ/ds

Enclosures:

PTO Form SB/08 (2 sheets)

Japanese Official Action

(2) References Transmittal Form

Dated:

May 31, 2006

P.O. Box 980 Valley Forge, PA 19482-0980 (610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

May 31, 2006

Deborah Spratt Debord Spratt

ds/26641



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 2

| Complete if Known | | | |
|----------------------|------------------------|--|--|
| Application Number | 10/020,425 | | |
| Filing Date | December 7, 2001 | | |
| First Named Inventor | Mitsuaki Oshima et al. | | |
| Art Unit | 2137 | | |
| Examiner Name | Paul E. Callahan | | |
| Attorney Docket No. | MTS-520US2 | | |

| | | | U.S. PATENT DO | CUMENTS | |
|-----------------------|--------------|--|----------------------------------|--|---|
| Examiner Initials* | Cite No.1 | Document Number | Publication Date (MM-DD-YYYY) | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number - Kind Code ^{2 (if known)} | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------|--|----------------------------------|---|--|---|
| Examiner Initials* | Cite No.1 | Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ^{5 (If known)} | Publication Date (MM-DD-YYYY) | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T |
| | | JP 06-203412 (with English Abstract) | 07-22-1994 | EASTMAN KODAK CO. | | |
| | | JP 60-175254 (with English Abstract) (with Partial English Translation) | 09-09-1985 | KAWAOKA NORITAKA | | × |
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| Examiner | Date | |
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

dered. Include copy of this form with next communication to Applicant.

Applicant's unique citation designation number (optional).

See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

The office that issued the document, by the two-letter code (WIPO Standard St.3).

For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Kind of document by the appropriate symbols as Indicated on the document under WIPO Standard ST.16 if possible.

Shoplicant is to place a check mark here if English Janguage translation is attached.

³kind of document by the appropriate symbols as Indicated on the document under WIPO Standard ST.16 if possible.
⁶Applicant is to place a check mark here if English language translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 2

| | Complete if Known | |
|----------------------|------------------------|--|
| Application Number | 10/020,425 | |
| Filing Date | December 7, 2001 | |
| First Named Inventor | Mitsuaki Oshima et al. | |
| Art Unit | 2137 | |
| Examiner Name | Paul E. Callahan | |
| Attorney Docket No. | MTS-520US2 | |

| NON-PATENT LITERATURE DOCUMENTS | | | | |
|---------------------------------|--------------|--|----------------|--|
| Examiner Initials* | Cite No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² | |
| | | Japanese Official Action dated March 7, 2006 | | |
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¹Applicant's unique citation designation number (optional).

³Applicant is unique creation designation number (optional).

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